

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MOBILE EQUITY CORP., §
§
Plaintiff, §
§
v. §
§
WALMART INC., §
§
Defendant. §
§

Case No. 2:21-cv-00126-JRG-RSP

ORDER

On November 11, 2021, the Court continued the hearing on Plaintiff Mobile Equity Corp.’s First Motion to Compel Discovery, Dkt. No. 34. In accordance with the hearing, with regard to Source Code, Defendant Walmart Inc. is **ORDERED** to produce and make ready for inspection by Mobile Equity all of the source code for, or associated with, the 39 modules identified by Plaintiff at the hearing, including specifically the following modules: “14. POS (Point of Sale)”; “27. CPC OE” and “24. Cloud Powered Checkout (CPC XO)”; “23. Tax”; and “39. Store Services.” The source code is to be made ready for inspection no later than November 22, 2021. For the “Store Services” module, the Parties disagreed as to whether this module contained source code. The Court directs Walmart to produce any source code contained in this module.

With regard to technical documents, the Parties reached an agreement with respect to the production of documents. However, if issues with document production arise, Mobile Equity is directed to provide notice in writing of any deficiencies to Walmart, with the notice identifying the alleged deficiencies as specifically as possible. After providing notice, Mobile Equity may move to reopen the hearing on its First Motion to Compel Discovery.

SIGNED this 12th day of November, 2021.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE